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RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS -
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF	:	
	:	
PRABHAKAR R. CHEENEPALLI, D.V.M.	:	Administrative Action
License No. 29VI00523000	:	
	:	
TO PRACTICE VETERINARY MEDICINE	:	CONSENT ORDER
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") following the Board's review of a consumer complaint filed by R.P. following the visit of his wife, Mrs. P., with their pet to Prabhakar R. Cheenepalli, D.V.M. at Denville Animal Hospital ("Hospital"). In his complaint to the Board, Mr. P. alleged that the respondent engaged in, among other contentions,

professional misconduct and negligence, in the treatment of his eleven (11) year old male Maltese, "Lacey," in May 2012.

The Board's review of this matter revealed that Mrs. P. presented Lacey to the Hospital on May 5, 2012 with complaints of ear irritation and what Mrs. P. described as a seizure. Dr. Cheenepalli treated the dog for an ear infection and advised Mrs. P. to observe for any further seizure activity. Over the next week, Mrs. P. brought Lacey back to Dr. Cheenepalli several times. The predominant complaint was seizure activity and increased lethargy and ataxia. Lacey was admitted for observation and blood work was all within normal limits.

On May 14, 2012, Lacey had a Grand mal seizure and Mrs. P. again brought her to Dr. Cheenepalli. Dr. Cheenepalli proceeded to give Lacey 9mg of Phenobarbital IV, and sent her home with Mrs. P. for observation. Lacey died at home within two (2) hours.

In his response to the Board, the respondent maintained that he constantly mentioned to Mrs. P. that an evaluation by a specialist and advanced imaging were options, however the owner elected conservative therapy. Moreover, Dr. Dr. Cheenepalli contended that he adhered to standard veterinary protocol when he administered Phenobarbital intravenously to a dog in a postictal state following a seizure.

The Board, following its review of the relevant documents in this matter, concluded that respondent Dr. Cheenepalli engaged in an act of gross negligence which damaged or endangered the life, health, or property of Lacey, in violation of N.J.S.A. 45:1-21(c), in that he: 1) administered Phenobarbital to a non-seizing dog; and 2) discharged a sedated dog, in a post-seizure hypnotic state, home with a lay owner absent adequate professional monitoring. The Board concludes that administering Phenobarbital intravenously to a non-seizing dog and then sending the pet home, in an altered state of consciousness with its owner, when the dog should have been monitored by the respondent or at another after hours critical care facility, constitutes a substantial deviation from acceptable veterinary standards of practice.

Additionally, the Board further concludes that Dr. Cheenepalli violated its patient record regulation, contrary to N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.9, in that his medical records for Lacey do not appear to accurately reflect the treatment or services rendered, as required by N.J.A.C. 13:44-4.9(a). Specifically, the Board concludes that respondent's records were voluminous and appeared to respond methodically to each and every complaint raised by Mr. P. in his May 2012 complaint. The Board finds that the records as presented in June 2012 were changed after the events, as they could not have

plausibly been written prior to Dr. Cheenepalli's receipt and review of the owner's complaint. The Board concludes that the conduct as detailed above constitutes grounds for disciplinary action.

The parties desiring to resolve this matter without the need for further disciplinary proceedings; and respondent acknowledging and not contesting the finds of the Board; and waiving his rights to a hearing; and the Board having been satisfied that the resolution adequately protects the public health, safety and welfare, and for good cause shown:

IT IS, THEREFORE, ON THIS 19th DAY OF JULY 2014,

ORDERED THAT:

1. Respondent Prabhakar R. Cheenepalli, D.V.M., is hereby reprimanded for his conduct as described above, in violation of N.J.S.A. 45:1-21(c) and (h).

2. Dr. Cheenepalli shall cease and desist from further violations of N.J.S.A. 45:1-21(c) and (h).

3. Respondent shall take and successfully complete a minimum of five (5) hours of Board approved courses of continuing education in Neurology, and provide proof of such successful completion to the Board within six (6) months of the date of this Order. All continuing education courses taken by the respondent to fulfill this requirement shall be RACE approved and have no affiliation with or be sponsored by the

Denville Animal Hospital. Additionally, no continuing education credits completed in compliance with this Consent Order may be used to satisfy the minimum continuing education requirements for any biennial renewal period.

4. Dr. Cheenepalli shall pay a civil penalty in the aggregate amount of \$2,500.00 for the following violations: 1) \$2,500.00 for engaging in gross negligence, in violation of N.J.S.A. 45:1-21(c), and 2) \$1,000.00 for record keeping violations, contrary to N.J.S.A. 45:1-21(h). The civil penalty shall be submitted, by certified check or money order, made payable to the State of New Jersey and forwarded to Jonathan Eisenmenger, Executive Director of the Board, at 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101, contemporaneously with submission of this Order. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

In the alternative, respondent may pay the civil penalty, totaling \$2,500.00, in equal monthly installment payments of \$200.00 for a total of eleven (11) months. The twelfth (12) and final payment will total \$300.00. The first payment shall be made contemporaneously with the signing of this Order with subsequent payments due on the fifteenth of each month thereafter until the total amount is paid in full.

Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice. Further, failure to pay the penalty within the time period allotted above will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, and may result in subsequent disciplinary proceedings before the Board for failure to comply with an Order of the Board.

5. Failure to comply with any of the provisions of this Order or remit any and all payments required by this Order will result in the filing of a Certificate of Debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: Mark W. Logan VMD
MARK W. LOGAN, V.M.D.
President

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.

Prabhakar R. Cheenepalli
PRABHAKAR R. CHEENEPALLI, D.V.M.

6/26/2014
DATED: